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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 JOSEPH ZIMMERMAN, individually and as
11 Trustee of the ZIMMERMAN FAMILY
TRUST 1994,

12 Plaintiff,

13 vs.

14 PENN-STAR INSURANCE COMPANY,

15 Defendant.

CASE NO.: 2:22-cv-1174-JCM-VCF

**STIPULATION AND ORDER TO
EXTEND DEADLINES**

16
17 COMES NOW, Defendant PENN-STAR INSURANCE COMPANY (“Defendant”), by
18 and through its counsel, PAUL A. ACKER, ESQ., and ELEANOR D. MURPHY, ESQ., of
19 RESNICK & LOUIS, P.C., and Plaintiff JOSEPH ZIMMERMAN (“Plaintiff”) by and through
20 his counsel, MICHAEL N. POLI, ESQ., of POLI, MOON & ZANE, PLLC, and KEVIN M.
21 POLLACK, ESQ. of ROBINS CLOUD, LLP, do hereby stipulate to extend the deadlines for
22 both parties to file their Oppositions to the competing Motions for Summary Judgment.

23 The dispositive motion deadline in this case was set for September 12, 2023, pursuant to
24 the most recent scheduling and trial order [ECF No. 24]. The deadline for the parties to prepare
25 and file a joint pretrial order would be October 12, 2023. Pursuant to Local Rule 26-1(b)(5), the
26 parties stipulate to postpone the filing of the joint pretrial order up to and including thirty (30)
27 days following the outcome of the competing dispositive motions.

28 Defendant filed a Motion for Summary Judgment on September 12, 2023 [ECF No. 25],

and responses are due October 3, 2023. Plaintiff filed a Partial Motion for Summary Judgment on September 13, 2023 [ECF No. 26], and responses are due October 4, 2023. Plaintiff also filed an unopposed motion to permit the late filing of his partial Motion, due to the weather conditions that prohibited the timely filing of same [ECF No. 27]. The parties are currently awaiting an order regarding whether the court will allow the late filing of Plaintiff's Motion and as such, request an extension of fourteen (14) days to file their oppositions to the competing Motions.

Pursuant to Local Rule IA 6-1(b), the parties hereby aver that this is the parties' first such extension requested regarding this subject. The parties are requesting an extension of 14 days, making Plaintiff's Opposition due October 17, 2023, and Defendant's Opposition due October 18, 2023.

IT IS HEREBY STIPULATED AND AGREED between the parties that Plaintiff shall have up to and including October 17, 2023, to file his Opposition to Defendant's Motion for Summary Judgment [ECF No. 25]. IT IS FURTHER HEREBY STIPULATED AND AGREED between the parties that Defendant shall have up to and including October 18, 2023, to file their Opposition to Plaintiff's Partial Motion for Summary Judgment [ECF No. 26].

Dated this 3rd day of October, 2023

RESNICK & LOUIS, P.C.

/s/ Eleanor D. Murphy

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Attorneys for Defendant

Dated this 3rd day of October, 2023

POLI, MOON & ZANE, PLLC

/s/ Michael N. Poli

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Attorneys for Plaintiff

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATED: October 4, 2023